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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON
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7 UNITED STATES OF AMERICA,

No. 2:11-CR-129-LRS

8 Plaintiff,

9 vs.

ORDER DENYING DEFENDANT'S
MOTION TO MODIFY RELEASE
CONDITIONS

10 CHRISTOPHER LEE SJODIN,

11 Defendant.

12 Before the Court is the Defendant's Motion and Memorandum in Support to
13 Modify Release Conditions Pending Sentencing. ECF No. 61.

14 Upon his guilty plea, ECF No. 58, Defendant is no longer presumed
15 innocent for purposes of pretrial release, and is now subject to a presumption of
16 detention which he must overcome by clear and convincing evidence. 18 U.S.C. §
17 3143(a)(1).

18 Defendant requests release to his home in British Columbia pending
19 sentencing, presently scheduled for June 8, 2016. He argues he has employment in
20 B.C., which would allow him to earn money and organize his affairs prior to
21 possible incarceration.

22 The United States has not responded to Defendant's Motion, written or
23 otherwise.

24 The history of Defendant's release and detention in this case is set forth in
25 the Court's Order denying Defendant's Motion to reconsider detention, ECF No.
26 39. Defendant is a citizen and resident of Canada who was previously released by
27 this district on this case, on his promise to waive extradition from Canada and
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ORDER - 1

1 return for trial. Thereafter, Defendant refused to waive extradition, and refused to
2 return for trial. Defendant argues that he secured counsel and opposed extradition
3 for two years merely because (1) the instant case has a different cause number, and
4 (2) he needed time to raise bail money.

5 The Court finds that Defendant has not overcome his burden of establishing
6 that circumstances have materially changed since conditions of release were last
7 considered. Accordingly, Defendant's Motion, **ECF No. 61**, is **DENIED**.

8 **IT IS SO ORDERED.**

9 DATED April 26, 2016.



A handwritten signature in black ink, appearing to read "J.T.R." or "John T. Rodgers".

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11 JOHN T. RODGERS
12 UNITED STATES MAGISTRATE JUDGE
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